

KAPLAN HECKER & FINK LLP

350 FIFTH AVENUE | 63RD FLOOR
NEW YORK, NEW YORK 10118

1050 K STREET NW | SUITE 1040
WASHINGTON, DC 20001

TEL (212) 763-0883 | FAX (212) 564-0883

WWW.KAPLANHECKER.COM

DIRECT DIAL 929.294.2540

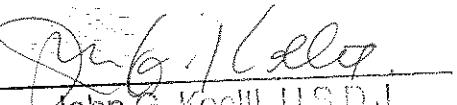
DIRECT EMAIL jdabbs@kaplanhecker.com

February 1, 2023

VIA ECF

The Honorable John G. Koeltl
United States District Court
Southern District of New York
Daniel Patrick Moynihan Courthouse
500 Pearl Street
New York, New York 10007

APPLICATION GRANTED
SO ORDERED


John G. Koeltl, U.S.D.J.

2/2/23

Re: *United States v. Gregory Dwyer*, No. 1:20-cr-500 (JGK)

Dear Judge Koeltl:

We respectfully submit this letter motion on behalf of our client Greg Dwyer to request that the Court exonerate bail.

In compliance with the conditions of release set by the Court, Mr. Dwyer executed a \$2,000,000 appearance bond secured by \$1,000,000, in cash and property. (ECF No. 306.) Specifically, the appearance bond is secured by cash Mr. Dwyer transferred into an attorney escrow account and a lien placed on Mr. Dwyer's family property. The appearance bond provides that the bond shall be satisfied and the security released when the defendant reports to serve a sentence. *Id.* at 2.

On August 8, 2022, Mr. Dwyer entered a plea of guilty to Count I of the Indictment (ECF No. 2), pursuant to a plea agreement. On November 16, 2022, the Court sentenced Mr. Dwyer to one (1) year probation and required him to pay a \$150,000 fine, a \$100 special assessment, and report to the Probation Department within seventy-two hours. (ECF No. 426, Dwyer Sentencing Tr. 14:3-15:9; *see also* ECF No. 422, Judgment at 2.) Mr. Dwyer first reported to the Probation Department on Friday, November 18, and was asked by the Probation Department to return on Tuesday, November 22. Mr. Dwyer returned to the Probation Department on November 22 and also paid the special assessment of \$100 that same day.

On January 24, 2023, the Court approved the provision by the Clerk's office of wire instructions to Counsel for Mr. Dwyer in order to facilitate payment of the \$150,000 fine. (ECF No. 435.) Upon receipt of the order, Counsel for Mr. Dwyer promptly wired the funds to the United States Government. The Clerk's office has confirmed receipt of the payment.

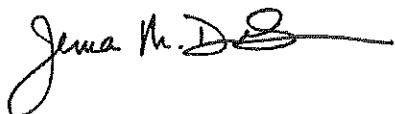
KAPLAN HECKER & FINK LLP

2

Accordingly, having satisfied these requirements and pursuant to the terms of the appearance bond, we respectfully request that the Court order the exoneration and release of bail, so that the cash being held in escrow may be returned to Mr. Dwyer, and the lien placed on Mr. Dwyer's family property may be removed.

We appreciate the Court's consideration.

Respectfully submitted,



Jenna M. Dabbs
Counsel for Gregory Dwyer

cc: Assistant United States Attorneys Samuel Raymond, Jessica Greenwood, and Nathan Rehn